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**REQUEST UNDER THE MINNESOTA DATA PRACTICES ACT**

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December 20, 2018

Lori Swanson, Esq.  
or Public Records Officer  
Minnesota Attorney General  
1400 Bremer Tower  
445 Minnesota Street  
St. Paul, MN 55101

VIA EMAIL: [attorney.General@ag.state.mn.us](mailto:attorney.General@ag.state.mn.us)

**RE: Certain OAG correspondence**

To Whom It May Concern:

On behalf of Energy Policy Advocates, a non-profit public policy institute incorporated in Washington state, and pursuant to Minnesota Data Practices Act, Minn. Stat. Chapter 13, I request copies of all electronic or hard-copy correspondence as described below, and its *accompanying information,<sup>1</sup> including also any attachments:*

- a) sent to or from **Karen Olson** (including also copying, whether as cc: or bcc:), which *also*
- b) contain *any* of the following, anywhere in the correspondence of which it is a part, whether in the To or From, cc: and/or bcc: fields, the Subject field, and/or the email body or body of the thread or in any attachment thereto: i) SherEdling, ii) Sher Edling, iii) DAGA, iv) @democraticags.org, v) alama@naag.org, and/or vi) Mike.Firestone@state.ma.us.

These terms are not case sensitive.

Records responsive to this request will be dated from **July 1, 2018** through the date you process this request. We request the entire thread in which any email responsive to the above description appears regardless if portions of the thread(s) pre-date **2018**.

**This request contemplates** such information sent or received on official as well as non-official email addresses used at any time for work-related purposes, text and other instant messaging on any phone or device used at any time for work-related correspondence.

Please consider as responsive entire email “threads” containing any information responsive to this request, regardless whether any part of that thread falls outside the cited search parameters.

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<sup>1</sup> See discussion of SEC Data Delivery Standards, *infra*.



Given the nature of the records responsive to this request, all should be in electronic format, and therefore there should be no photocopying costs. If there is any cost associated with the searching, copying or production of these records, however, please also notify me in writing immediately. Please provide an estimate of anticipated costs in the event that there are fees for processing this Request.

Energy Policy Advocates requests records on your system, e.g., its backend logs, and does not seek only those records which survive on an employee's own machine or account. We do not demand your Office produce requested information in any particular form, instead **we request records in their native form, with specific reference to the U.S. Securities and Exchange Commission Data Delivery Standards.**<sup>2</sup> The covered information we seek is electronic information, this includes electronic *records*, and other public *information*.

To quote the SEC Data Delivery Standards, "Electronic files must be produced in their native format, i.e. the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet. *(Note: An Adobe PDF file is not considered a native file unless the document was initially created as a PDF.)*" (emphases in original).

In many native-format productions, certain public information remains contained in the record (e.g., metadata). Under the same standards, to ensure production of all information requested, if your production will be de-duplicated it is vital that you 1) preserve any unique metadata associated with the duplicate files, for example, custodian name, and, 2) make that unique metadata part of your production.

Native file productions may be produced without load files. However, native file productions must maintain the integrity of the original meta data, and must be produced as they are maintained in the normal course of business and organized by custodian-named file folders. A separate folder should be provided for each custodian.

In the event that necessity requires your Office to produce a PDF file, due to your normal program for redacting certain information and such that native files cannot be produced as they are maintained in the normal course of business, in order to provide all requested information each PDF file should be produced in separate folders named by the custodian, *and* accompanied by a load file to ensure the requested information appropriate for that discrete record is associated with that record. The required fields and format of the data to be provided within the load file can be found in Addendum A of the above-cited SEC Data Standards. All produced PDFs must be text searchable.

We look forward to your timely response within a reasonable time, as required by law. If you have any questions, or would like to discuss this matter further, do not hesitate to contact me by email at MatthewDHardin@gmail.com. I look forward to your timely response.

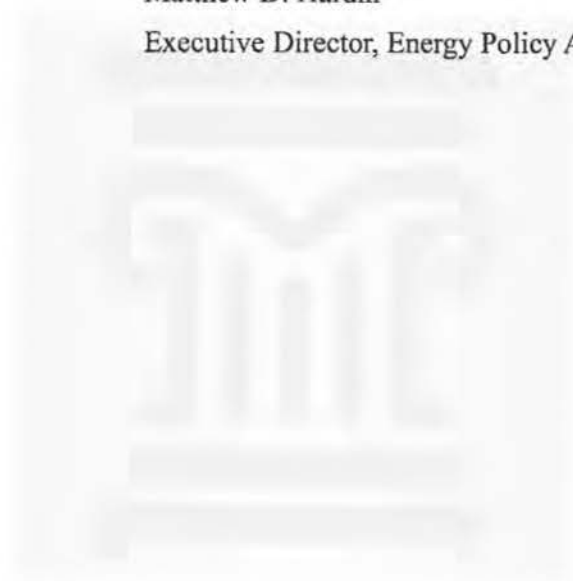
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<sup>2</sup> <https://www.sec.gov/divisions/enforce/datadeliverystandards.pdf>.

Sincerely,



Matthew D. Hardin  
Executive Director, Energy Policy Advocates



MINNESOTA  
JUDICIAL  
BRANCH



## GAO GOVERNMENT ACCOUNTABILITY &amp; OVERSIGHT

## REQUEST UNDER THE MINNESOTA DATA PRACTICES ACT

December 26, 2018

Lori Swanson, Esq.  
or Public Records Officer  
Minnesota Attorney General  
1400 Bremer Tower  
445 Minnesota Street  
St. Paul, MN 55101

VIA EMAIL: [attorney.General@ag.state.mn.us](mailto:attorney.General@ag.state.mn.us)

**RE: Certain OAG correspondence**

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- a) sent to or from **Karen Olson** (including also copying, whether as cc: or bcc:), which *also*
- b) contain *any* of the following, anywhere in the correspondence of which it is a part, whether in the To or From, cc: and/or bcc: fields, the Subject field, and/or the email body or body of the thread or in any attachment thereto: i) @Googlegroups.com, ii) "Google doc" (including also in "Google Docs", iii) @ucsusa.org, iv) Dropbox, v) box.com (including as used in any url containing box.com), and/or vi) SharePoint.

These terms are not case sensitive.

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<sup>1</sup> See discussion of SEC Data Delivery Standards, *infra*.



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Energy Policy Advocates requests records on your system, e.g., its backend logs, and does not seek only those records which survive on an employee’s own machine or account. We do not demand your Office produce requested information in any particular form, instead **we request records in their native form, with specific reference to the U.S.**

**Securities and Exchange Commission Data Delivery Standards.**<sup>2</sup> The covered information we seek is electronic information, this includes electronic *records*, and other public *information*.

To quote the SEC Data Delivery Standards, “Electronic files must be produced in their native format, i.e. the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet. *(Note: An Adobe PDF file is not considered a native file unless the document was initially created as a PDF.)*” (emphases in original).

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<sup>2</sup> <https://www.sec.gov/divisions/enforce/datadeliverystandards.pdf>.

We look forward to your timely response within a reasonable time, as required by law. If you have any questions, or would like to discuss this matter further, do not hesitate to contact me by email. I look forward to your timely response.

Sincerely,



Matthew D. Hardin  
Executive Director  
Energy Policy Advocates

MINNESOTA  
JUDICIAL  
BRANCH

**MINNESOTA GOVERNMENT DATA PRACTICES ACT REQUEST**

January 3, 2020

Keith Ellison, Esq.  
Or Responsible Authority  
Office of the Attorney General  
445 Minnesota St.  
Suite 1400  
St. Paul, MN 55101-2131

**By Electronic Mail:** [Attorney.General@ag.state.mn.us](mailto:Attorney.General@ag.state.mn.us)  
**Re:** Certain Appointment Letters and Correspondence

Dear Sir or Madam:

As counsel for the public policy group Energy Policy Advocates (EPA), recognized by the Internal Revenue Service as a non-profit public policy institute under § 501(c)(3) of the Internal Revenue Code, pursuant to the Minnesota Government Data Practices Act, Minn. Stat. §13.01, *et seq.*, I hereby request copies of the following records:

- I. Any appointment letters as Special Assistant Attorney General, or to any other position, sent to Leigh Currie and/or Pete Surdo from the Minnesota Office of the Attorney General;
- II. Any appointment or hiring letters received by the Minnesota Office of the Attorney General from New York University's State Energy and Environmental Impact Center regarding Leigh Currie and/or Pete Surdo; and
- III. All electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:), i) Karen Olson, and/or Oliver Larson, that b) was sent to or from or copies Leigh Currie and/or Pete Surdo at any address

outside the @ag.state.ms.us domain, *and* which is c) dated from May 1, 2019 through the date you process this request, inclusive.

We request entire “threads” of which any responsive electronic correspondence is a part, regardless whether any portion falls outside of the above time parameter.

We understand that a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the searching, copying or production of these records, please provide an estimate of anticipated costs. Given EPA’s non-profit and public interest nature and intention to broadly disseminate relevant findings, EPA requests a waiver or reduction of any applicable fees.

Energy Policy Advocates requests records on your system, e.g., its backend logs, and does not seek only those records which survive on an employee’s own machine or account. We do not demand your office produce requested information in any particular form, instead we **request records in their native form**, with specific reference to the U.S. Securities and Exchange Commission Data Delivery Standards.<sup>1</sup> The covered information we seek is electronic information, this includes electronic *records*, and other public *information*.

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We look forward to your response. If you have any questions, do not hesitate to contact me by email at [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com).

Sincerely,

Matthew D. Hardin



The Office of  
**Minnesota Attorney General Keith Ellison**  
helping people afford their lives and live with dignity and respect • [www.ag.state.mn.us](http://www.ag.state.mn.us)

March 2, 2020

Mr. Matthew D. Hardin, Executive Director  
Energy Policy Advocates  
c/o Registered Agents Inc.  
170 S. Lincoln, Ste. 150  
Spokane, WA 99201

Dear Mr. Hardin:

I write in response to your correspondence dated January 3, in which you request that this Office provide you with:

- I. Any appointment letters as Special Assistant Attorney General, or to any other position, sent to Leigh Currie and/or Pete Surdo from the Minnesota Office of the Attorney General;
- II. Any appointment or hiring letters received by the Minnesota Office of the Attorney General from New York University's State Energy and Environmental Impact Center regarding Leigh Currie and/or Pete Surdo; and
- III. All electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:), i) Karen Olson, and/or Oliver Larson, that b) was sent to or from or copies Leigh Currie and/or Pete Surdo at any address outside the @ag.state.ms.us domain, and which is c) dated from May 1, 2019 through the date you process this request, inclusive.

This Office is obligated to make available "Government data" classified as "public" pursuant to the Minnesota Government Data Practices Act ("MGDPA"). *See* Minn. Stat. § 13.01 *et seq.* The MGDPA defines "Government data" as "all data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use." Minn. Stat. § 13.02, subd. 7.

The documents potentially responsive to your requests are enclosed. Certain materials potentially responsive to your request are not classified as publicly available on the bases that: (1) they relate to a pending civil action or investigation and are classified as nonpublic data or confidential pursuant to Minn. Stat. § 13.39, subd. 1; (2) they are attorney-client or work-product privileged and not subject to the data practices act pursuant to Minn. Stat. § 13.393; or (3) they relate to communications and non-investigative files regarding administrative or policy matters

**MINNESOTA GOVERNMENT DATA PRACTICES ACT REQUEST**

February 7, 2020

Keith Ellison, Esq.  
Or Responsible Authority  
Office of the Attorney General  
445 Minnesota St.  
Suite 1400  
St. Paul, MN 55101-2131

**By Electronic Mail:** [Attorney.General@ag.state.mn.us](mailto:Attorney.General@ag.state.mn.us)

**Re:** Certain Correspondence

Dear Sir or Madam:

On behalf of Energy Policy Advocates (EPA), recognized by the Internal Revenue Service as a non-profit public policy institute under § 501(c)(3) of the Internal Revenue Code, pursuant to the Minnesota Government Data Practices Act, Minn. Stat. §13.01, *et seq.*, I hereby request copies of the following records:

1. all electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:) Karen Olson, that b) includes, *anywhere*, whether in the sent, to, from, cc, bcc or subject fields, or otherwise, including also in any attachments or the body of an email or text message, i) “New York University” (including also “NYU”) and one or more of the following, ii) “Fellow”, iii) “Surdo”, and/or iv) “Currie”, v), and c) is dated from August 25, 2017 through the date you process this request, inclusive; and
2. all electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or

copying (whether as cc: or bcc:) Oliver Larson, that b) includes, *anywhere*, whether in the sent, to, from, cc, bcc or subject fields, or otherwise, including also in any attachments or the body of an email, i) “New York University” (including also “NYU”) and one or more of the following, ii) “Fellow”, iii) “Surdo”, and/or iv) “Currie”, and c) is dated from August 25, 2017 through the date you process this request, inclusive;

Regarding both parts of this request, we request entire “threads” of which any responsive electronic correspondence is a part, regardless whether any portion falls outside of the above time parameter. We request a rolling production of records, such that the agency furnishes records to my attention as soon as they are processed.

**To narrow this request**, please consider as non-responsive electronic correspondence that merely receives or forwards newsletters or press summaries or ‘clippings’, such as news services or stories or opinion pieces, if that correspondence has no comment or no substantive comment added by a party other than the original sender in the thread (an electronic mail message that includes any expression of opinion or viewpoint would be considered as including substantive comment; examples of non-responsive emails would be those forwarding a news report or opinion piece with no comment or only “fyi”, or “interesting”).

Additionally, please consider all published or docketed materials, including pleadings, regulatory comments, ECF notices, news articles, and/or newsletters, as non-responsive, unless forwarded to or from the named persons with substantive commentary added by the sender.

We understand that in some instances a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the

searching, copying or production of these records, please provide an estimate of anticipated costs.

As noted earlier in this request, EPA is a non-profit public policy organization dedicated to informing the public of developments in the area of energy and environmental issues and relationships between governmental and non-governmental entities as they relate to those issues. EPA's ability to obtain fee waivers is essential to this work. EPA intends to use any responsive information to continue its work highlighting the nexus between interested non-governmental entities and government agency decision-making. The public is both interested in and entitled to know how regulatory, policy and enforcement decisions are reached. EPA ensures the public is made aware of its work and findings via its partnership with the non-profit public interest law firm Government Accountability & Oversight, P.C., and the [ClimateLitigationWatch.org](https://www.climateactionwatch.org) project dedicated to broadly disseminating energy and environmental policy news and developments. The public information obtained by EPA and published on [ClimateLitigationWatch.org](https://www.climateactionwatch.org) have been relied upon by established media outlets, including the Washington Times and Wall Street Journal editorial page.<sup>1</sup>

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<sup>1</sup> See, e.g., The Editorial Board, "State AGs' Climate Cover-Up" Wall Street Journal, June 7, 2019, <https://www.wsj.com/articles/state-ags-climate-cover-up-11559945410>. Valerie Richardson, "Motivated or manipulated? Rise of youth climate activism fuels alarms over exploitation" Washington Times, March 15, 2019, <https://www.washingtontimes.com/news/2019/mar/13/youth-climate-strike-sparks-debate-use-students-pr/>, see also "Climate Strike Sparks Debate on Use of Students as Props", [https://www.realclearpolicy.com/2019/03/15/climate\\_strike\\_sparks\\_debate\\_on\\_use\\_of\\_students\\_as\\_props\\_41180.html](https://www.realclearpolicy.com/2019/03/15/climate_strike_sparks_debate_on_use_of_students_as_props_41180.html). Valerie Richardson, "Democratic AGs team up with George Soros-funded group on anti-Trump lawsuit" Washington Times, August 1, 2019, <https://www.washingtontimes.com/news/2019/aug/1/george-soros-funded-group-democratic-ags-partner-a/>. Anthony Watts, "Emails reveals how children become pawns of climate alarmism", Watts Up With That (two-time Science Website of the Year), March 13, 2019, <https://wattsupwiththat.com/2019/03/13/emails-reveal-how-children-become-pawns-of-climate-alarmism/>.

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We look forward to your response. If you have any questions, do not hesitate to contact me by email at [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com).

Sincerely,

Matthew D. Hardin

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**MINNESOTA GOVERNMENT DATA PRACTICES ACT REQUEST**

February 7, 2020

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2. all electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:) Oliver Larson, that b) includes, *anywhere*, whether in



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<sup>1</sup> See, e.g., The Editorial Board, "State AGs' Climate Cover-Up" Wall Street Journal, June 7, 2019, <https://www.wsj.com/articles/state-ags-climate-cover-up-11559945410>. Valerie Richardson, "Motivated or manipulated? Rise of youth climate activism fuels alarms over exploitation" Washington Times, March 15, 2019, <https://www.washingtontimes.com/news/2019/mar/13/youth-climate-strike-sparks-debate-use-students-pr/>, see also "Climate Strike Sparks Debate on Use of Students as Props", [https://www.realclearpolicy.com/2019/03/15/climate\\_strike\\_sparks\\_debate\\_on\\_use\\_of\\_students\\_as\\_props\\_41180.html](https://www.realclearpolicy.com/2019/03/15/climate_strike_sparks_debate_on_use_of_students_as_props_41180.html). Valerie Richardson, "Democratic AGs team up with George Soros-funded group on anti-Trump lawsuit" Washington Times, August 1, 2019, <https://www.washingtontimes.com/news/2019/aug/1/george-soros-funded-group-democratic-ags-partner-a/>. Anthony Watts, "Emails reveals how children become pawns of climate alarmism", Watts Up With That (two-time Science Website of the Year), March 13, 2019, <https://wattsupwiththat.com/2019/03/13/emails-reveal-how-children-become-pawns-of-climate-alarmism/>.

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<sup>2</sup> <https://www.sec.gov/divisions/enforce/datadeliverystandards.pdf>.

In the event that necessity requires your office to produce a PDF file, due to your normal program for redacting certain information and such that native files cannot be produced as they are maintained in the normal course of business, in order to provide all requested information each PDF file should be produced in separate folders named by the custodian, *and* accompanied by a load file to ensure the requested information appropriate for that discrete record is associated with that record. The required fields and format of the data to be provided within the load file can be found in Addendum A of the above-cited SEC Data Standards. All produced PDFs must be text searchable.

We look forward to your response. If you have any questions, do not hesitate to contact me by email at [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com).

Sincerely,

Matthew D. Hardin

MINNESOTA  
JUDICIAL  
BRANCH

**MINNESOTA GOVERNMENT DATA PRACTICES ACT REQUEST**

February 14, 2020

Keith Ellison, Esq.  
Or Responsible Authority  
Office of the Attorney General  
445 Minnesota St.  
Suite 1400  
St. Paul, MN 55101-2131

**By Electronic Mail:** [Attorney.General@ag.state.mn.us](mailto:Attorney.General@ag.state.mn.us)

**Re:** Certain Correspondence

Dear Sir or Madam:

On behalf of Energy Policy Advocates (EPA), recognized by the Internal Revenue Service as a non-profit public policy institute under § 501(c)(3) of the Internal Revenue Code, pursuant to the Minnesota Government Data Practices Act, Minn. Stat. §13.01, *et seq.*, I hereby request copies of the following records: any document or data that refers to or relates to payment arrangements, payments, instruction of, or reporting requirements for individuals related to the New York University or any fellowship or funding provided by the New York University for work done in the Office of the Attorney General of Minnesota. This request includes, but is not limited to, documents indicating whether individuals working for the AG are paid in whole or in part by NYU, whether NYU gives money to the AG to subsidize any individual's salary or wage, the job description at the AG's office of any person hired in any way related to NYU (other than having attended there), and to whom any individual hired in any way related to NYU (other than having attended there) reports for work assignments.

We request a rolling production of records, such that the agency furnishes records to my attention as soon as they are processed.

We understand that in some instances a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the searching, copying or production of these records, please provide an estimate of anticipated costs.

As noted earlier in this request, EPA is a non-profit public policy organization dedicated to informing the public of developments in the area of energy and environmental issues and relationships between governmental and non-governmental entities as they relate to those issues. EPA's ability to obtain fee waivers is essential to this work. EPA intends to use any responsive information to continue its work highlighting the nexus between interested non-governmental entities and government agency decision-making. The public is both interested in and entitled to know how regulatory, policy and enforcement decisions are reached. EPA ensures the public is made aware of its work and findings via its partnership with the non-profit public interest law firm Government Accountability & Oversight, P.C., and the [ClimateLitigationWatch.org](https://www.climateactionwatch.org) project dedicated to broadly disseminating energy and environmental policy news and developments. The public information obtained by EPA and published on [ClimateLitigationWatch.org](https://www.climateactionwatch.org) have

been relied upon by established media outlets, including the Washington Times and Wall Street Journal editorial page.<sup>1</sup>

We look forward to your response. If you have any questions, do not hesitate to contact me by email at [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com).

Sincerely,

Matthew D. Hardin

MINNESOTA  
JUDICIAL

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<sup>1</sup> See, e.g., The Editorial Board, “State AGs’ Climate Cover-Up” Wall Street Journal, June 7, 2019, <https://www.wsj.com/articles/state-ags-climate-cover-up-11559945410>. Valerie Richardson, “Motivated or manipulated? Rise of youth climate activism fuels alarms over exploitation” Washington Times, March 15, 2019, <https://www.washingtontimes.com/news/2019/mar/13/youth-climate-strike-sparks-debate-use-students-pr/>, see also “Climate Strike Sparks Debate on Use of Students as Props”, [https://www.realclearpolicy.com/2019/03/15/climate\\_strike\\_sparks\\_debate\\_on\\_use\\_of\\_students\\_as\\_props\\_41180.html](https://www.realclearpolicy.com/2019/03/15/climate_strike_sparks_debate_on_use_of_students_as_props_41180.html). Valerie Richardson, “Democratic AGs team up with George Soros-funded group on anti-Trump lawsuit” Washington Times, August 1, 2019, <https://www.washingtontimes.com/news/2019/aug/1/george-soros-funded-group-democratic-ags-partner-a/>. Anthony Watts, “Emails reveals how children become pawns of climate alarmism”, Watts Up With That (two-time Science Website of the Year), March 13, 2019, <https://wattsupwiththat.com/2019/03/13/emails-reveal-how-children-become-pawns-of-climate-alarmism/>.

**MINNESOTA GOVERNMENT DATA PRACTICES ACT REQUEST**

March 7, 2020

Keith Ellison, Esq.  
Or Responsible Authority  
Office of the Attorney General  
445 Minnesota St.  
Suite 1400  
St. Paul, MN 55101-2131

**By Electronic Mail:** [Attorney.General@ag.state.mn.us](mailto:Attorney.General@ag.state.mn.us)

**Re:** Certain Correspondence and Invitations

Dear Sir or Madam:

On behalf of Energy Policy Advocates (EPA), recognized by the Internal Revenue Service as a non-profit public policy institute under § 501(c)(3) of the Internal Revenue Code, pursuant to the Minnesota Government Data Practices Act, Minn. Stat. §13.01, *et seq.*, I hereby request copies of the following records:

1. all electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:) i) Oliver Larson, ii) Leigh Currie and/or iii) Pete Surdo, that b) includes, *anywhere*, whether in an email address, in the sent, to, from, cc, bcc fields, or the Subject fields or body of an email or email “thread”, including also in any attachments, i) Bachmann, and/or ii) Goffman, and c) is dated from November 1, 2019 through the date you process this request, inclusive;
2. all electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, *infra*), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:) i) Oliver Larson, ii) Leigh Currie and/or iii) Pete Surdo,



that b) was sent from michael.myers@ag.ny.gov, and c) is dated from November 4, 2019 through November 8, 2019, inclusive *and* November 17, 2019, and

3. any invitation sent or received from michael.myers@ag.ny.gov to participate in a November 18, 2019 telephone call.

**Regarding ## 1 & 2 above**, we request entire “threads” of which any responsive electronic correspondence is a part, regardless whether any portion falls outside of the above time parameter.

**Also for ## 1 & 2, to narrow this request**, please consider as non-responsive electronic correspondence that merely receives or forwards newsletters or press summaries or ‘clippings’, such as news services or stories or opinion pieces, if that correspondence has no comment or no substantive comment added by a party other than the original sender in the thread (an electronic mail message that includes any expression of opinion or viewpoint would be considered as including substantive comment; examples of non-responsive emails would be those forwarding a news report or opinion piece with no comment or only “fyi”, or “interesting”).

**Additionally**, please consider all published or docketed materials, including pleadings, regulatory comments, ECF notices, news articles, and/or newsletters, as non-responsive, unless forwarded to or from the named persons with substantive commentary added by the sender.

We understand that in some instances a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the searching, copying or production of these records, please provide an estimate of anticipated costs.

As noted earlier in this request, EPA is a non-profit public policy organization dedicated to informing the public of developments in the area of energy and environmental issues and relationships between governmental and non-governmental entities as they relate to those issues. EPA's ability to obtain fee waivers is essential to this work. EPA intends to use any responsive information to continue its work highlighting the nexus between interested non-governmental entities and government agency decision-making. The public is both interested in and entitled to know how regulatory, policy and enforcement decisions are reached. EPA ensures the public is made aware of its work and findings via its partnership with the non-profit public interest law firm Government Accountability & Oversight, P.C., and the [ClimateLitigationWatch.org](https://www.climateactionwatch.org) project dedicated to broadly disseminating energy and environmental policy news and developments. The public information obtained by EPA and published on [ClimateLitigationWatch.org](https://www.climateactionwatch.org) have been relied upon by established media outlets, including the Washington Times and Wall Street Journal editorial page.<sup>1</sup>

Energy Policy Advocates requests records on your system, e.g., its backend logs, and does not seek only those records which survive on an employee's own machine or account. We do not demand your office produce requested information in any particular form, instead we

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<sup>1</sup> See, e.g., The Editorial Board, "State AGs' Climate Cover-Up" Wall Street Journal, June 7, 2019, <https://www.wsj.com/articles/state-ags-climate-cover-up-11559945410>. Valerie Richardson, "Motivated or manipulated? Rise of youth climate activism fuels alarms over exploitation" Washington Times, March 15, 2019, <https://www.washingtontimes.com/news/2019/mar/13/youth-climate-strike-sparks-debate-use-students-pr/>, see also "Climate Strike Sparks Debate on Use of Students as Props", [https://www.realclearpolicy.com/2019/03/15/climate\\_strike\\_sparks\\_debate\\_on\\_use\\_of\\_students\\_as\\_props\\_41180.html](https://www.realclearpolicy.com/2019/03/15/climate_strike_sparks_debate_on_use_of_students_as_props_41180.html). Valerie Richardson, "Democratic AGs team up with George Soros-funded group on anti-Trump lawsuit" Washington Times, August 1, 2019, <https://www.washingtontimes.com/news/2019/aug/1/george-soros-funded-group-democratic-ags-partner-a/>. Anthony Watts, "Emails reveals how children become pawns of climate alarmism", Watts Up With That (two-time Science Website of the Year), March 13, 2019, <https://wattsupwiththat.com/2019/03/13/emails-reveal-how-children-become-pawns-of-climate-alarmism/>.

**request records in their native form**, with specific reference to the U.S. Securities and Exchange Commission Data Delivery Standards.<sup>2</sup> The covered information we seek is electronic information, this includes electronic *records*, and other public *information*.

To quote the SEC Data Delivery Standards, “Electronic files must be produced in their native format, i.e. the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet. ***(Note: An Adobe PDF file is not considered a native file unless the document was initially created as a PDF.)***” (emphases in original).

In many native-format productions, certain public information remains contained in the record (e.g., metadata). Under the same standards, to ensure production of all information requested, if your production will be de-duplicated it is vital that you 1) preserve any unique metadata associated with the duplicate files, for example, custodian name, and, 2) make that unique metadata part of your production.

Native file productions may be produced without load files. However, native file productions must maintain the integrity of the original meta data, and must be produced as they are maintained in the normal course of business and organized by custodian-named file folders. A separate folder should be provided for each custodian.

In the event that necessity requires your office to produce a PDF file, due to your normal program for redacting certain information and such that native files cannot be produced as they are maintained in the normal course of business, in order to provide all requested information each PDF file should be produced in separate folders named by the custodian, *and* accompanied

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<sup>2</sup> <https://www.sec.gov/divisions/enforce/datadeliverystandards.pdf>.

by a load file to ensure the requested information appropriate for that discrete record is associated with that record. The required fields and format of the data to be provided within the load file can be found in Addendum A of the above-cited SEC Data Standards. All produced PDFs must be text searchable.

We look forward to your response. If you have any questions, do not hesitate to contact me by email at [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com). Please direct correspondence regarding this request (including correspondence containing the records requested) via email to that address if at all possible.

Sincerely,

Matthew D. Hardin

MINNESOTA  
JUDICIAL  
BRANCH

**MINNESOTA GOVERNMENT DATA PRACTICES ACT REQUEST**

April 28, 2020

Keith Ellison, Esq.  
Or Responsible Authority  
Office of the Attorney General  
445 Minnesota St.  
Suite 1400  
St. Paul, MN 55101-2131

**By Electronic Mail:** [datapactices@ag.state.mn.us](mailto:datapactices@ag.state.mn.us)

**Re:** Certain Correspondence

Dear Sir or Madam:

On behalf of Energy Policy Advocates (EPA), recognized by the Internal Revenue Service as a non-profit public policy institute under § 501(c)(3) of the Internal Revenue Code, pursuant to the Minnesota Government Data Practices Act, Minn. Stat. §13.01, *et seq.*, I hereby request copies of all electronic correspondence, including also any attachments, and accompanying information (see discussion of SEC Data Delivery Standards, *infra*), that was sent to or from or which copies Pete Surdo and/or Rachel Tess dated from February 1, 2020 through April 28, 2020, inclusive, that:

1. includes, *anywhere*, whether in an email address, in the sent, to, from, cc, bcc fields, or the Subject fields or body of an email or email thread or attachment, and including as part of that record, a) the word “complaint” *and* b) i) “criteria pollutant” (which also includes “criteria pollutants”), ii) “greenhouse gas”, (which includes “greenhouse gases”), and/or iii) “GHG”; or that
2. provides notice pursuant to any common interest agreement of any public records request, or otherwise discusses or references any public records request or public records

lawsuit, submitted to any party by a) Matthew Hardin, b) Neal Cornett, c) Chris or Christopher Horner, and/or d) Energy Policy Advocates.

**Regarding #1 of this request**, we do not seek any draft documents, such as, e.g., any draft complaint circulated, though we do seek all correspondence transmitting any such draft records, subject to any proper redactions.

**Also for # 1, to narrow this request**, please consider as non-responsive electronic correspondence that merely receives or forwards newsletters or press summaries or ‘clippings’, such as news services or stories or opinion pieces, if that correspondence has no comment or no substantive comment added by a party other than the original sender in the thread (an electronic mail message that includes any expression of opinion or viewpoint would be considered as including substantive comment; examples of non-responsive emails would be those forwarding a news report or opinion piece with no comment or only “fyi”, or “interesting”).

**Additionally**, please consider all published or docketed materials, including pleadings, regulatory comments, ECF notices, news articles, and/or newsletters, as non-responsive, unless forwarded to or from the named persons with substantive commentary added by the sender.

We understand that in some instances a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the searching, copying or production of these records, please provide an estimate of anticipated costs.

As noted earlier in this request, EPA is a non-profit public policy organization dedicated to informing the public of developments in the area of energy and environmental issues and

relationships between governmental and non-governmental entities as they relate to those issues. EPA's ability to obtain fee waivers is essential to this work. EPA intends to use any responsive information to continue its work highlighting the nexus between interested non-governmental entities and government agency decision-making. The public is both interested in and entitled to know how regulatory, policy and enforcement decisions are reached. EPA ensures the public is made aware of its work and findings via its partnership with the non-profit public interest law firm Government Accountability & Oversight, P.C., and the [ClimateLitigationWatch.org](https://www.climateactionwatch.org/) project dedicated to broadly disseminating energy and environmental policy news and developments. The public information obtained by EPA and published on [ClimateLitigationWatch.org](https://www.climateactionwatch.org/) have been relied upon by established media outlets, including the Washington Times and Wall Street Journal editorial page.<sup>1</sup>

Energy Policy Advocates requests records on your system, e.g., its backend logs, and does not seek only those records which survive on an employee's own machine or account. We do not demand your office produce requested information in any particular form, instead we **request records in their native form**, with specific reference to the U.S. Securities and

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<sup>1</sup> See, e.g., The Editorial Board, "State AGs' Climate Cover-Up" Wall Street Journal, June 7, 2019, <https://www.wsj.com/articles/state-ags-climate-cover-up-11559945410>. Valerie Richardson, "Motivated or manipulated? Rise of youth climate activism fuels alarms over exploitation" Washington Times, March 15, 2019, <https://www.washingtontimes.com/news/2019/mar/13/youth-climate-strike-sparks-debate-use-students-pr/>, see also "Climate Strike Sparks Debate on Use of Students as Props", [https://www.realclearpolicy.com/2019/03/15/climate\\_strike\\_sparks\\_debate\\_on\\_use\\_of\\_students\\_as\\_props\\_41180.html](https://www.realclearpolicy.com/2019/03/15/climate_strike_sparks_debate_on_use_of_students_as_props_41180.html). Valerie Richardson, "Democratic AGs team up with George Soros-funded group on anti-Trump lawsuit" Washington Times, August 1, 2019, <https://www.washingtontimes.com/news/2019/aug/1/george-soros-funded-group-democratic-ags-partner-a/>. Anthony Watts, "Emails reveals how children become pawns of climate alarmism", Watts Up With That (two-time Science Website of the Year), March 13, 2019, <https://wattsupwiththat.com/2019/03/13/emails-reveal-how-children-become-pawns-of-climate-alarmism/>.

Exchange Commission Data Delivery Standards.<sup>2</sup> The covered information we seek is electronic information, this includes electronic *records*, and other public *information*.

To quote the SEC Data Delivery Standards, “Electronic files must be produced in their native format, i.e. the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet. ***(Note: An Adobe PDF file is not considered a native file unless the document was initially created as a PDF.)***” (emphases in original).

In many native-format productions, certain public information remains contained in the record (e.g., metadata). Under the same standards, to ensure production of all information requested, if your production will be de-duplicated it is vital that you 1) preserve any unique metadata associated with the duplicate files, for example, custodian name, and, 2) make that unique metadata part of your production.

Native file productions may be produced without load files. However, native file productions must maintain the integrity of the original meta data, and must be produced as they are maintained in the normal course of business and organized by custodian-named file folders. A separate folder should be provided for each custodian.

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<sup>2</sup> <https://www.sec.gov/divisions/enforce/datadeliverystandards.pdf>.



associated with that record. The required fields and format of the data to be provided within the load file can be found in Addendum A of the above-cited SEC Data Standards. All produced PDFs must be text searchable.

We look forward to your response. If you have any questions, do not hesitate to contact me by email at [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com).

Sincerely,

Matthew D. Hardin



MINNESOTA  
JUDICIAL  
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**MINNESOTA GOVERNMENT DATA PRACTICES ACT REQUEST**

May 15, 2020

Keith Ellison, Esq.  
Or Responsible Authority  
Office of the Attorney General  
445 Minnesota St.  
Suite 1400  
St. Paul, MN 55101-2131

**By Electronic Mail:** [datapactices@ag.state.mn.us](mailto:datapactices@ag.state.mn.us)  
**Re:** Certain Common Interest Agreements.

Dear Sir or Madam:

On behalf of Energy Policy Advocates (EPA), recognized by the Internal Revenue Service as a non-profit public policy institute under § 501(c)(3) of the Internal Revenue Code, pursuant to the Minnesota Government Data Practices Act, Minn. Stat. §13.01, *et seq.*, I hereby request copies of the following records: any common interest agreement entered into by the Department of the Attorney General at any time in 2019 or 2020.

We understand that in some instances a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the searching, copying or production of these records, please provide an estimate of anticipated costs.

As noted earlier in this request, EPA is a non-profit public policy organization dedicated to informing the public of developments in the area of energy and environmental issues and relationships between governmental and non-governmental entities as they relate to those issues. EPA's ability to obtain fee waivers is essential to this work. EPA intends to use any responsive

information to continue its work highlighting the nexus between interested non-governmental entities and government agency decision-making. The public is both interested in and entitled to know how regulatory, policy and enforcement decisions are reached. EPA ensures the public is made aware of its work and findings via its partnership with the non-profit public interest law firm Government Accountability & Oversight, P.C., and the [ClimateLitigationWatch.org](https://www.climateactionwatch.org) project dedicated to broadly disseminating energy and environmental policy news and developments. The public information obtained by EPA and published on [ClimateLitigationWatch.org](https://www.climateactionwatch.org) have been relied upon by established media outlets, including the Washington Times and Wall Street Journal editorial page.<sup>1</sup>

We look forward to your response. If you have any questions, do not hesitate to contact me by email at [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com).

Sincerely,

Matthew D. Hardin

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<sup>1</sup> See, e.g., The Editorial Board, “State AGs’ Climate Cover-Up” Wall Street Journal, June 7, 2019, <https://www.wsj.com/articles/state-ags-climate-cover-up-11559945410>. Valerie Richardson, “Motivated or manipulated? Rise of youth climate activism fuels alarms over exploitation” Washington Times, March 15, 2019, <https://www.washingtontimes.com/news/2019/mar/13/youth-climate-strike-sparks-debate-use-students-pr/>, see also “Climate Strike Sparks Debate on Use of Students as Props”, [https://www.realclearpolicy.com/2019/03/15/climate\\_strike\\_sparks\\_debate\\_on\\_use\\_of\\_students\\_as\\_props\\_41180.html](https://www.realclearpolicy.com/2019/03/15/climate_strike_sparks_debate_on_use_of_students_as_props_41180.html). Valerie Richardson, “Democratic AGs team up with George Soros-funded group on anti-Trump lawsuit” Washington Times, August 1, 2019, <https://www.washingtontimes.com/news/2019/aug/1/george-soros-funded-group-democratic-ags-partner-a/>. Anthony Watts, “Emails reveals how children become pawns of climate alarmism”, Watts Up With That (two-time Science Website of the Year), March 13, 2019, <https://wattsupwiththat.com/2019/03/13/emails-reveal-how-children-become-pawns-of-climate-alarmism/>.



The Office of  
**Minnesota Attorney General Keith Ellison**  
helping people afford their lives and live with dignity and respect • [www.ag.state.mn.us](http://www.ag.state.mn.us)

December 8, 2020

James V. F. Dickey  
Upper Midwest Law Center  
8421 Wayzata Blvd., Suite 105  
Golden Valley, MN 55426

Re: *Energy Policy Advocates v. Ellison*  
Ramsey County Dist. Ct. 20-CV-3985

Dear Mr. Dickey:

I write to follow up on our letters of October 9 and 27, and various telephone conversations and e-mail correspondence concerning tendering materials to the Court for review pursuant to Minn. Stat. § 13.08, discovery in this matter, and whether there are areas we can agree to close out.

*January 3, 2020 DPA Request*

This request concerned appointment letters from this Office or NYU concerning special assistant attorney generals Leigh Currie and Pete Surdo.

Enclosed with this letter are the appointment letters issued by NYU to Leigh Currie and Pete Surdo. You inquired as to why these were not previously produced. With respect to Pete Surdo, the Office did not possess the letter until obtained a copy of it in response to this litigation, in an effort to close this issue out. With respect to Leigh Currie, we searched the division files and her Office e-mails at the time and did not locate a copy. It does appear that a paper copy was retained in her personnel file unknown to Leigh or I.

Based on our telephone conversations and prior correspondence, I believe we have an agreement that this would close out this request. Can you confirm this?

*February 7, 2020 DPA Request (NYU)*

This request was for communications involving myself or Karen Olson concerning NYU and the appointment of NYU fellows as special assistant attorney generals.

As we have disclosed and discussed, there were a lot of potentially responsive e-mails (785 documents, with attachments included) because of the structure of the request – for all e-

James V. F. Dickey  
Upper Midwest Law Center  
December 8, 2020  
Page 2

mails containing the words “New York University” or “NYU” – and the fact that Pete Surdo and Leigh Currie’s e-mail signature blocks contains the words “New York University.” These attorneys report to me, and this resulted in a large percentage of their e-mails to me being swept up in the search. There were no potentially responsive e-mails for Karen Olson.

I will confirm in writing what I told you on the phone – to my knowledge I have never sent an e-mail to anyone NYU or received an e-mail from anyone at NYU concerning Leigh Currie or Pete Surdo or the work they perform. The Office does not provide status reports to NYU on the work performed by Leigh Currie or Pete Surdo, and I do not keep NYU informed of the work they are performing.

We discussed further refining the documents identified in the initial search in some way with the idea of identifying e-mails that were identified for reasons other than the signature blocks.

I asked our systems group to design and perform some word searches to see if we could locate e-mails containing NYU or New York University where the trigger for a hit was not the signature block of Leigh Currie or Pete Surdo. They performed two searches: (1) a search for “New York University” not within 3 words of “fellow” and (2) a search for “New York University” or “fellow” or “NYU” where they hit individually without any of the other terms. The first search resulted in 32 hits, the second 20. There is some overlap between the two sets.

Neither search returned any external e-mails, or any substantive discussion of the appointment of Leigh Currie or Pete Surdo as Special Assistant Attorneys.

Both searches primarily returned internal e-mails concerning representational matters that Leigh Currie or Pete Surdo worked on. There were also a few e-mails that discussed responses to data practices act requests from parties other than your client. A handful of e-mails concerned a litigation hold we placed in response to the filing of the your client’s first lawsuit. With two exceptions discussed below, all of these documents would variously be classified as civil investigative data, or data on administrative matters, that are not public pursuant to Minn. Stat. § 13.39 or 13.65. Much of the material would also be privileged. None of the data appears to be of nature of what your client was searching for.

The exceptions are an e-mail forwarding a copy of a report from the NYU state impact center, and an e-mail forwarding a webinar invitation. By its own terms, your client’s DPA request excluded e-mails merely forwarding things like this report and webinar link, and thus they were not responsive to your client’s request. I nonetheless enclose the e-mails and attachments here.

Please contact me so that we can discuss whether we can close out this issue.

*February 7, 2020 DPA Request (Energy Policy Advocates)*

This request sought emails involving Karen Olson or myself with the terms “Hardin” or “Energy Policy Advocates.” Based on your correspondence, your client appeared satisfied with the response with the clarifications I previously provided. You inquired as to why we had not produced an e-mail that merely forwarded a news summary. The answer is that your client’s request specifically excluded such e-mails. I also note that it was retrieved only because it contained the words “Schiff Hardin,” and thus did not refer to your client – which was doubtless your client’s intent. I nonetheless produce it here.

Please confirm that this closes out this issue.

*February 14, 2020 DPA Request*

This request sought all documents describing the payment arrangements for Pete Surdo and Leigh Currie and their reporting relationships inside the Office.

Per your request, I am attaching the appointment letters, and can confirm that there have been no payments by our Office to NYU, or NYU to the Office. To the best of my knowledge there are no documents in our possession that would reflect payments between NYU and Leigh Currie or Pete Surdo, and I would not expect any such documents to exist because our Office is not involved in the salary/benefits payments. I did check the personnel files, and there is nothing responsive there. I can also confirm that Leigh Currie and Pete Surdo have reported to me since starting at the Office.

Please confirm that this closes out this issue.

*March 7, 2020 DPA Request*

This request sought communications involving various potential multi-state communications from November of 2019, with the words Bachmann or Goffman.

As we have discussed, there are communications between our Office and other attorneys general’s offices containing two attachments with the words Bachmann or Goffman. We produced one of the attachments, a news article that referenced Joseph Goffman. We retained the other attachment, a PowerPoint presentation concerning greenhouse gases and NAAQS, as civil investigative.

We have confirmed that the PowerPoint has already been produced to your client by other states. The Office stands by its designation of this document as civil investigative data, but there is no reason to litigate over a document your client already possesses. I attach it here. You now have the two documents we were able to identify containing the words Bachmann or Goffman. The e-mails attaching the news article and PowerPoint largely consisted of privileged

James V. F. Dickey  
Upper Midwest Law Center  
December 8, 2020  
Page 4

communications between various state attorneys generals and our Office concerning potential rule challenges and litigation. Even if not privileged, these communications would all be classified as civil investigative data. I can confirm that our Office identified no communications directly with Goffman or Bachman in the period in question, and to my knowledge, at any other point.

Please contact me so we can discuss whether this will close out this item.

*April 28, 2020 DPA Request*

This request sought various communications among the parties to multi-state common interest agreements on various subject matters. All of the potentially responsive documents are classified as privileged, civil investigative data, or both.

As I previously disclosed, eighty-one documents were identified in response to the search, consisting of e-mails and e-mail attachments. Of these, thirty-four were marked as privileged, and are exclusively internal to the AGO office and its agency clients. Forty-seven documents were external communications marked as privileged or civil investigative data.

We discussed resolving this issue by producing redacted copies of non-privileged the communications, redacting out: (1) any privileged or purely AGO internal portions of the e-mails; and (2) for e-mails received by this Office, the names of recipients other than those in this Office. You indicated you would discuss this with your client. To assist in that process, I include one of the communications, redacted in the manner described.

Please contact me so that we may discuss.

*May 15, 2020 DPA Request*

This request seeks all common interest agreement executed by the Office in 2019 or 2020. Based on the discovery in this case, it appears that your client is primarily interested in three specific common interest agreements which you refer to as the “Climate Change CA” the “Climate Change CA as amended,” and the “GHG Litigation CIA.” We discussed whether it would be possible to close this item out if the Office produced redacted copies of these agreements, redacting out certain types of non-public information and cases.

I also explained that general production of all common-interest agreements would be problematic because it might reveal still confidential investigations to the targets of those investigations. I also asked if you would inquire with your client as to what it already possessed on the common interest agreements. As outlined above, the Office stands by its designation of these materials as civil investigative data, but is not going to litigate over information your client already possesses.

With additional review of the common interest agreements we possess against what you attached to your RFAs, it appears your client already possesses an unredacted copy of the GHG Litigation CA. The Office is willing to produce the copy from its files. If it will resolve this issue, the Office would also be willing to produce unredacted copies of the Climate Change CA and the Climate Change CA as amended from our files.

I am in receipt of your proposal that we log and litigate all common interest agreement of any nature. I do not think this is a workable proposal, and would prefer to simply litigate the issue as a general proposition if we cannot narrow the focus. Perhaps we should have further discussions on this issue. At minimum, we should consider limiting the litigation to common interest agreement on environmental issues. I can see no reason your client would need or be interested in litigation on issues like anti-trust enforcement or consumer protection issues, where maintaining the confidentiality of the agreements is particularly important.

Sincerely,

s/ Oliver J. Larson  
OLIVER J. LARSON  
Assistant Attorney General

(651) 757-1265 (Voice)  
(651) 297-1235 (Fax)  
oliver.larson@ag.state.mn.us



## Appointment Letters



State Energy &  
Environmental Impact Center  
NYU School of Law

July 15, 2019

Leigh K. Currie  
2356 Carter Avenue  
Saint Paul, MN 55108  
leighkcurrie@gmail.com

Dear Leigh:

I am pleased to extend an offer of employment to you as a Research Scholar, in the State Energy & Environmental Impact Center at New York University.

Secondment Arrangement

During your employment, you will be seconded to the Office of the Minnesota Attorney General (“OAG”) as a Special Assistant Attorney General. Pursuant to an agreement between the State Energy and Environmental Impact Center and the OAG, during your employment, you will be under the direction and control of, and owe a duty of loyalty to, the OAG, and will be subject to OAG policies regarding employee conduct. The OAG will provide additional details to you directly about the applicable policies.

Salary

Your annual base salary will be \$111,250 annually, paid over twelve months in equal installments on the first and the fifteenth of the month, and is subject to appropriate tax withholdings. This salary is inclusive of any future teaching assignments, if applicable.

Start Date

Your employment in this position shall commence on September 18, 2019 and is anticipated to end on September 18, 2020. This appointment may be extended upon mutual agreement.

Benefits

You will receive an email from the Benefits Office with a link to NYU’s Benefits Overview Guide. The guide for Professional Research Staff contains instructions on how and when to enroll, comprehensive information on all benefit plans, dependent eligibility, employee contributions and more.

The Benefits Overview for full-time Professional Research Staff employees can be found by visiting the following web site: <http://www.nyu.edu/employees/benefit/full-time/Professional-Research-Staff-Code-103.html>.

If you plan to add dependent(s) to one of the NYU medical and/or dental plans, you are required to furnish proof of relationship, no later than the 31st day of employment, in order for coverage to remain in effect for your family member(s). Examples of acceptable documentation are: birth certificate, adoption papers, court order of guardianship/custody, marriage certificate, or your approved NYU Domestic Partner Registration form. Proof of relationship documents may be scanned and sent via e-mail to [askpeoplelink@nyu.edu](mailto:askpeoplelink@nyu.edu) or may be mailed to NYU PeopleLink, 105 E. 17th Street, 1st floor, New York, NY 10003 or faxed to (212) 995-4333.

Policy Training

Attached to this letter are the University’s Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees. All employees are expected to participate in a harassment prevention program.

“OEO101: Preventing Harassment on Campus” is an instructor led course that is offered each month for new employees. **All employees at NYU are expected to complete the harassment prevention program within 60 days of hire.** In addition to completing the OEO101 course, employees with supervisory responsibilities should also participate in “OEO102: Supervisor’s Workshop,” which immediately follows OEO101. All employees are also expected to complete the University’s Preventing Campus Violence training program (HAS 001). You can register for these courses through the NYU iLearn portal.

Contingency

This offer of employment is contingent upon your eligibility to work in the United States. You are required to present original documentation that verifies your eligibility to work in the United States when your employment commences. On or before your first day of work, you will complete the entire Federal Form I-9 electronically as part of your new hire paperwork.

Probation

As an NYU employee, you will undergo a six-month probationary period. Information about NYU’s probationary period and other policies may be found at: <http://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/human-resources.html>.

At Will Employment

The terms of this letter do not imply employment for a specific period. Your employment is at will, which means that you, the OAG, or NYU can terminate your employment at any time, with or without cause. NYU and OAG can also withdraw or rescind this offer at any time prior to the commencement of work without restriction.

In addition to your at will status, continued employment in this position will be subject to the availability of grant funding.

In accepting this offer, you agree to abide by all NYU policies in effect, including but not limited to the conflicts of interest policies and intellectual property policies. These policies can be found on the NYU website at <http://www.nyu.edu>.

**To indicate your acceptance of this offer, please sign this *offer letter* and fax or email it to Laura Stein, HR Administrator/Faculty at 212-992-8635 / [Laura.Stein@nyu.edu](mailto:Laura.Stein@nyu.edu). Laura will contact you to schedule an onboarding meeting around your start date.**

Leigh, I am delighted that you will be joining the legal fellowship team.

Sincerely,



David J. Hayes  
Executive Director

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Signature of Acceptance  
Leigh K. Currie

Date



State Energy &  
Environmental Impact Center  
NYU School of Law

May 30, 2019

Peter N. Surdo  
5641 Elliot Ave.  
Minneapolis, MN 55417  
petesurdo@gmail.com

Dear Peter:

I am pleased to extend an offer of employment to you as a Research Scholar, in the State Energy & Environmental Impact Center at New York University.

**Secondment Arrangement**

During your employment, you will be seconded to the Office of the Minnesota Attorney General (“OAG”) as a Special Assistant Attorney General. Pursuant to an agreement between the State Energy and Environmental Impact Center and the OAG, during your employment, you will be under the direction and control of, and owe a duty of loyalty to, the OAG, and will be subject to OAG policies regarding employee conduct. The OAG will provide additional details to you directly about the applicable policies.

**Salary**

Your annual base salary will be \$118,000 annually, paid over twelve months in equal installments on the first and the fifteenth of the month, and is subject to appropriate tax withholdings. This salary is inclusive of any future teaching assignments, if applicable.

**Start Date**

Your employment in this position shall commence on June 26, 2019 and is anticipated to end on June 26, 2020. This appointment may be extended upon mutual agreement.

**Benefits**

You will receive an email from the Benefits Office with a link to NYU’s Benefits Overview Guide. The guide for Professional Research Staff contains instructions on how and when to enroll, comprehensive information on all benefit plans, dependent eligibility, employee contributions and more.

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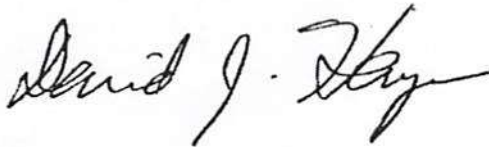
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Peter, I am delighted that you will be joining the legal fellowship team.

Sincerely,



David J. Hayes  
Executive Director



Signature of Acceptance

5/30/2019  
Date